

II. APPROPRIATIONS

1. Department of the Interior Appropriations Act, FY 1992

PUBLIC LAW 102–154—NOV. 13, 1991

105 STAT. 990

Public Law 102–154
102d Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

Nov. 13, 1991
[H.R. 2686]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, namely:

Department of
the Interior and
Related
Agencies
Appropriations
Act, 1992.

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$566,000 for the Roosevelt Campobello International Park Commission, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$965,665,000 without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$59,500,000 to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203: *Provided*, That the National Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation: *Provided further*, That of the funds provided herein, \$700,000 is available for the National Institute for the Conservation of Cultural Property: *Provided further*, That hereafter appropriations for maintenance and improvement of roads within the boundary of the Cuyahoga Valley National Recreation Area shall be available for such purposes without regard to whether title to such road rights-of-way is in the United States: *Provided further*, That notwithstanding any other provision of law, hereafter the National Park Service may make road improvements for the purpose of public safety on Route 25 in New River Gorge National River between the towns of Glen Jean and Thurmond: *Provided further*, That none of the funds appropriated to the National Park Service in this Act may be used to construct horse stables or any other facilities for the housing of horses at the Manassas National Battlefield Park: *Provided further*, That of the funds provided herein, \$65,000 is available for a cooperative agreement with the Susan LaFlesche Picotte Center: *Provided further*, That none of the funds appropriated in this Act may be used to implement any increase in Government housing rental rates in excess of ten per centum more than the rental rates which were in effect on September 1, 1991, for such housing: *Provided further*, That of the funds provided under this heading, not to exceed \$500,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: *Provided further*, That the aforementioned sum and any sums hereinafter provided in subsequent Acts for said project are to be considered non-Federal monies for the purpose of title I of Public Law 99-662.

16 USC 20b note.

16 USC 460ff-3 note.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and

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review, and grant administration, not otherwise provided for, \$23,090,000: *Provided*, That no funds appropriated under this head for the Calumet Historic District may be obligated until funds provided for the Calumet Historic District under construction planning are specifically authorized.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$35,931,000 to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1993: *Provided*, That the Trust Territory of the Pacific Islands is a State eligible for Historic Preservation Fund matching grant assistance as authorized under 16 U.S.C. 470w(2): *Provided further*, That pursuant to section 105(1) of the Compact of Free Association, Public Law 99-239, the Federated States of Micronesia and the Republic of the Marshall Islands shall also be considered States for purposes of this appropriation.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), \$275,801,000, to remain available until expended: *Provided*, That not to exceed \$8,440,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further*, That none of the funds under this head may be expended for the Calumet Historic District unless specifically authorized: *Provided further*, That of the funds provided under this heading, \$1,400,000 shall be available for site acquisition and site preparation for the Lincoln Center in Springfield, Illinois: *Provided further*, That up to \$376,000 of the funds provided under this head, to be derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), shall be available until expended for emergency stabilization of the Kennicott, Alaska copper mine, such funds to be transferred to the Alaska State Historic Preservation Office: *Provided further*, That of the funds provided under this heading, \$2,000,000 shall be available for a grant to restore the Chicago Public Library, Central Building as if authorized by the Historic Sites Act of 1935 (16 U.S.C. 462(e)): *Provided further*, That notwithstanding any other provision of law, \$1,000,000 shall be made available for renovation of Tad Gormley Stadium: *Provided further*, That of the funds provided under this heading, up to \$100,000 shall be available to assist the Town of Provincetown, Massachusetts with planning and construction of a solid waste transfer station on town-owned land provided that the Town and the National Park Service enter into an agreement for shared use of the facility for its lifetime at a rate based on actual operating costs and percentages of total contribution of solid waste by the National Park Service: *Provided further*, That of the funds provided under this heading, \$3,650,000 shall be available for construction of a Gateway Park associated with the Illinois and Michigan Canal National Heritage Corridor: *Provided further*, That until March 1, 1992, none of the funds

105 STAT. 998

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appropriated under this head may be expended for the Steamtown National Historic Site unless specifically authorized.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (title 10 of Public Law 95-625) \$5,000,000, to remain available until expended.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$106,570,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$23,500,000 is for the State assistance program including \$3,500,000 to administer the State assistance program: *Provided*, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States \$14,000 shall be available in 1992 for administrative expenses of the State grant program.

Notwithstanding any other provisions in this Act, funds in this Act for National Park Service Land Acquisition may be used for acquisition of property by condemnation at Santa Monica Mountains National Recreational Area under the condition that zoning permits or variances for such property shall not have changed since those in place on September 19, 1991.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

16 USC 460l-10a
note.

The contract authority provided for fiscal year 1992 by 16 U.S.C. 460l-10a is rescinded.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, \$22,945,000, of which \$16,000,000 shall remain available until expended.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR
COMMISSION

For operation of the Illinois and Michigan Canal National Heritage Corridor Commission, \$250,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 465 passenger motor vehicles, of which 322 shall be for replacement only, including not to exceed 355 for police-type use, 11 buses, and 5 ambulances; to provide, notwithstanding any other provision of law, at a cost not exceeding \$100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized

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105 STAT. 999

recreation and interpretive programs of the National Park Service; options for the purchase of land at not to exceed \$1 for each option; and for the procurement and delivery of medical services within the jurisdiction of units of the National Park System: *Provided*, That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System: *Provided further*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That the National Park Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: *Provided further*, That notwithstanding any other provision of law, the National Park Service may recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That Federal funds available to the National Park Service may be used for improvements to the National Park Service rail excursion line between milepost 132.7 and 120.55 located in Northeastern Pennsylvania: *Provided further*, That the Secretary of the Interior, acting through the Director of the National Park Service, may enter into a cooperative agreement with the William O. Douglas Outdoor Classroom under which the Secretary may expend Federal funds on non-Federal property for environmental education purposes.

Reports.

Washington.
National parks,
monuments,
memorials.

Notwithstanding any Master Plan, Development Concept Plan or policy of the Olympic National Park, nor any Federal regulation, to the contrary, the Superintendent of the Olympic National Park, located in the State of Washington, is authorized and directed to issue a ten-year, special use permit for the continued operation of Kamp Kiwanis by the Hoquiam Kiwanis Club and the Hoquiam Y.M.C.A., and for reconstruction of the main lodge at Kamp Kiwanis, at the location described below within the boundary of the Olympic National Park:

A plot of land in Section 13, Township 23 N., Range 10 W., W.M. described as follows:

Beginning at an iron pipe which is on the section line and south 860 feet from the south 1/16 corner of Sections 14 and 13 in Township 23 north, Range 10 W., W.M.; thence north 13 1/2 degrees east 572 feet to an iron pipe; thence south 55 degrees east 319 feet to an iron pipe; thence south 16 degrees west 458 feet to an iron pipe; thence north 75 1/2 degrees west 277 feet to point of beginning, containing 3.43 acres, more or less; also a right-of-way for a pipeline from Higley Creek to the above area

105 STAT. 1000

PUBLIC LAW 102-154—NOV. 13, 1991

about 2,000 feet along the section line between Sections 13
and 14, T. 23 N., Range 10 W., W.M.

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105 STAT. 1010

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; re-

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sponse and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

105 STAT. 1012

PUBLIC LAW 102-154—NOV. 13, 1991

SEC. 107. Notwithstanding any other provisions of law, in fiscal year 1992 and thereafter, appropriations in this title shall be available to provide insurance on official motor vehicles, aircraft, and boats operated by the Department of the Interior in Canada and Mexico.

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43 USC 1473b.

SEC. 115. Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, any appropriations or funds available to the Department of the Interior in this Act may be used to provide nonmonetary awards of nominal value to private individuals and organizations that make contributions to Department of the Interior programs.

43 USC 1473c.

SEC. 116. Appropriations under this title in fiscal year 1992 and thereafter, may be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers in aid of work for units of the Department of the Interior.

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105 STAT. 1013
16 USC 461 note.

SEC. 118. Notwithstanding section 7(b) of Public Law 99-647, the Secretary may approve the extension of the Blackstone Commission on or before November 10, 1991, to accomplish the purposes of that subsection.

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105 STAT. 1028

OTHER RELATED AGENCIES

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105 STAT. 1032

COMMISSION ON FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$722,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956a), as amended, \$7,000,000.

PUBLIC LAW 102-154—NOV. 13, 1991

105 STAT. 1033

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$2,623,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$4,775,000.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$33,000, to remain available until September 30, 1993.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,807,000, for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$5,126,000, to remain available until expended.

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TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Contracts.
Public
information.

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105 STAT. 1034

PUBLIC LAW 102-154—NOV. 13, 1991

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

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SEC. 307. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

Labor.

SEC. 308. Employment funded by this Act shall not be subject to any personnel ceiling or other personnel restriction for permanent or other than permanent employment except as provided by law.

42 USC 1856a-1.

SEC. 309. Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the Secretary of the Smithsonian Institution are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the presuppression, detection, and suppression of fires on any units within their jurisdiction.

105 STAT. 1035

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SEC. 312. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 313. None of the funds made available by this or any other Act with respect to any fiscal year may be used by the Department of the Interior or the Forest Service, Department of Agriculture to make any reimbursements to any other Federal department for litigation costs associated with the Prince William Sound oilspill.

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PUBLIC LAW 102-154—NOV. 13, 1991

105 STAT. 1035

SEC. 318. With the exception of budget authority for “Miscellaneous payments to Indians”, Bureau of Indian Affairs, Department of the Interior; “Salaries and expenses”, National Indian Gaming Commission, Department of the Interior; “Payment to the Institute”, Institute of American Indian and Alaska Native Culture and Arts Development; “Salaries and expenses”, Woodrow Wilson International Center for Scholars; “Salaries and expenses” and “National capital arts and cultural affairs”, Commission on Fine Arts; “Salaries and expenses”, Advisory Council on Historic Preservation; “Salaries and expenses”, National Capital Planning Commission; “Salaries and expenses”, Franklin Delano Roosevelt Memorial Commission; and “Salaries and expenses” and “Public development”, Pennsylvania Avenue Development Corporation, each amount of budget authority for the fiscal year ending September 30, 1992, provided in this Act, for payments not required by law is hereby reduced by 1.26 per centum: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.

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This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 1992”.

105 STAT. 1037

Approved November 13, 1991.

LEGISLATIVE HISTORY—H.R. 2686:

HOUSE REPORTS: Nos. 102-116 (Comm. on Appropriations) and 102-256 (Comm. of Conference).

SENATE REPORTS: No. 102-122 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 137 (1991):

June 24, 25, considered and passed House.

Sept. 12, 13, 16-19, considered and passed Senate, amended.

Oct. 24, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments; and disagreed to others.

Oct. 30, 31, Senate agreed to conference report; receded and concurred in certain House amendments, in another with an amendment.

Nov. 1, House disagreed to Senate amendment. Senate receded and concurred in House amendment.

2. Budget Rescission Act, FY 1992

106 STAT. 217

PUBLIC LAW 102-298—JUNE 4, 1992

Public Law 102-298
102d Congress

An Act

June 4, 1992
[H.R. 4990]

Rescinding certain budget authority.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

* * * * *

TITLE VI

106 STAT. 229

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES**DEPARTMENT OF THE INTERIOR****NATIONAL PARK SERVICE****NATIONAL RECREATION AND PRESERVATION****(RESCISSION)**

Of the funds made available under this heading in Public Law 102-154, \$987,000 for the Calumet Historic District, Michigan are rescinded.

CONSTRUCTION**(RESCISSION)**

106 STAT. 230

Of the funds made available under this heading in Public Law 102-154, \$1,145,000 are rescinded, of which \$375,000 was made available for the Calumet Historic District, Michigan; and of which \$770,000 was made available for the Lewis and Clark Trail Center, Nebraska.

106 STAT. 235

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Approved June 4, 1992.

LEGISLATIVE HISTORY—H.R. 4990 (S. 2403):

HOUSE REPORTS: Nos. 102-505 (Comm. on Appropriations) and 102-530 (Comm. of Conference).

SENATE REPORTS: No. 102-274 accompanying S. 2403 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

May 5, 6, S. 2403 considered in Senate.

May 7, H.R. 4990 considered and passed House.

May 12, considered and passed Senate, amended, in lieu of S. 2403.

May 21, House and Senate agreed to conference report.

3. Dire Emergency Supplemental Appropriations Act, FY 1992

PUBLIC LAW 102-368—SEPT. 23, 1992

106 STAT. 1117

Public Law 102-368
102d Congress**An Act**Making supplemental appropriations, transfers, and rescissions for the fiscal year
ending September 30, 1992, and for other purposes.Sept. 23, 1992
[H.R. 5620]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations for the fiscal year ending September 30, 1992, and for other purposes, namely:

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Dire Emergency
Supplemental
Appropriations
Act, 1992,
Including
Disaster
Assistance to
Meet the
Present
Emergencies
Arising From
the
Consequences of
Hurricane
Andrew,
Typhoon Omar,
Hurricane Iniki,
and Other
Natural
Disasters, and
Additional
Assistance to
Distressed
Communities.

106 STAT. 1134

TITLE XI**EMERGENCY SUPPLEMENTAL APPROPRIATIONS
PROVIDING ASSISTANCE FOR NEEDS RESULTING FROM
NATURAL DISASTERS**

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106 STAT. 1146

CHAPTER V**DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES****DEPARTMENT OF THE INTERIOR**

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NATIONAL PARK SERVICE**OPERATION OF THE NATIONAL PARK SYSTEM**For an additional amount for "Operation of the national park system", \$23,000,000, to remain available until expended: *Provided*, That Congress hereby designates this amount as an emergency

106 STAT. 1147

PUBLIC LAW 102-368—SEPT. 23, 1992

requirement for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

HISTORIC PRESERVATION FUND

For an additional amount to cover incremental costs arising from the consequences of Hurricane Andrew, \$300,000, to remain available until expended: *Provided*, That this amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That all of these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

CONSTRUCTION

For an additional amount for "Construction", \$29,000,000, to remain available until expended: *Provided*, That Congress hereby designates this amount as an emergency requirement for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

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106 STAT. 1156

GENERAL PROVISION

AGENCY ACCEPTANCE OF DONATIONS FOR FEDERAL EMPLOYEES

5 USC 7301 note.

SEC. 901. (a) Notwithstanding any other provision of law, Federal agencies may accept gifts of property, money, or anything else of value from non-Federal sources for extraordinary and unanticipated expenses incurred by agency employees in their personal capacity within the areas designated as disaster areas pursuant to the President's declaration of a disaster resulting from Hurricane Andrew, Typhoon Omar, and Hurricane Iniki.

(b) Agencies shall establish written procedures to implement this program, which shall, at a minimum, include provisions to ensure that (1) all money or cash gifts shall be collected directly by the agency before distribution, (2) property or other tangible gifts shall be recorded and approved by the agency before deliverance to any individual employee, and (3) these gifts are distributed to agency employees in a fair and equitable manner.

(c) Agencies may accept gifts designated for individual employees. Agencies shall ensure that any gift designated for an individual employee is appropriate under the circumstances, taking into account, among other things, the official relationship of the employee to the source of the gift.

(d) This provision shall be effective through September 30, 1993.

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Termination
date.

PUBLIC LAW 102-368—SEPT. 23, 1992

106 STAT. 1162

This Act may be cited as the “Dire Emergency Supplemental Appropriations Act, 1992, Including Disaster Assistance To Meet the Present Emergencies Arising From the Consequences of Hurricane Andrew, Typhoon Omar, Hurricane Iniki, and Other Natural Disasters, and Additional Assistance to Distressed Communities”.

Approved September 23, 1992.

LEGISLATIVE HISTORY—H.R. 5620:

HOUSE REPORTS: No. 102-672 (Comm. on Appropriations).

SENATE REPORTS: No. 102-395 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 28, considered and passed House.

Sept. 15, considered and passed Senate, amended.

Sept. 18, House concurred in certain Senate amendment with an amendment and disagreed to others. Senate receded and concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Sept. 23, Presidential statement.

4. Department of the Interior Appropriations Act, FY 1993

106 STAT. 1374

PUBLIC LAW 102-381—OCT. 5, 1992

Public Law 102-381
102d Congress

An Act

Oct. 5, 1992
[H.R. 5503]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes.

Department of
the Interior and
Related
Agencies
Appropriations
Act, 1993.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

106 STAT. 1381

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

16 USC 20b note.

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$600,000 for the Roosevelt Campobello International Park Commission, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$992,431,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$60,000,000 to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203: *Provided*, That the National Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation: *Provided further*, That of the funds provided herein, \$775,000 is available for the National Institute for the Conservation of Cultural Property: *Provided*

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106 STAT. 1382

further, That none of the funds appropriated in this Act may be used to implement any increase in Government housing rental rates in excess of ten per centum more than the rental rates which were in effect on September 1, 1992, for such housing.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, and grant administration, not otherwise provided for, \$23,765,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$36,931,000 to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1994: *Provided*, That the Trust Territory of the Pacific Islands is a State eligible for Historic Preservation Fund matching grant assistance, in fiscal year 1993 and thereafter, as authorized under 16 U.S.C. 470w(2): *Provided further*, That pursuant to section 105(1) of the Compact of Free Association, Public Law 99-239, the Federated States of Micronesia and the Republic of the Marshall Islands shall also be considered States for purposes of this appropriation.

16 USC 470w
note.

CONSTRUCTION

106 STAT. 1383

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), \$231,801,000, to remain available until expended, and \$7,705,000 to be derived from amounts made available under this head in Public Law 99-190 for engineering and construction of the Burr Trail National Rural Scenic Road: *Provided*, That not to exceed \$7,000,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further*, That of the funds provided under this heading, \$1,700,000 shall be available for site acquisition and site preparation for the Lincoln Center in Springfield, Illinois: *Provided further*, That of the amounts provided under this heading, \$2,000,000 shall be available for the design of and to initiate construction of a pedestrian walkway and interpretative Park (A Walk on the Mountain) in cooperation with the city of Tacoma, Washington: *Provided further*, That up to \$140,000 of the funds provided under this head, to be derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), shall be available until expended to correct deficiencies at the Botto House American Labor Museum National Historic Landmark: *Provided further*, That of the funds provided under this heading, not to exceed \$450,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: *Provided further*, That of the funds provided under this heading, \$4,200,000 shall be available to the State of West Virginia for replacement construction of the Fayette Station bridge and related approaches in the New River Gorge National River: *Provided further*, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18: *Provided further*, That up to \$600,000 of the funds provided under this head, to be derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470a (d)(3)(A)(i)), shall be available until expended for the stabilization, rehabilitation and long-term protection of Lowell's Boat Shop in Amesbury, Massachusetts.

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LAND AND WATER CONSERVATION FUND

(RECISSION)

The contract authority provided for fiscal year 1993 by 16 U.S.C. 4601-10a is rescinded.

16 USC 4601-10a
note.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$118,911,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$28,456,000 is for the State assistance program including \$3,456,000 to administer the State assistance program: *Provided*, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States \$75,000 shall be available in 1993 for administrative expenses of the State grant program.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, \$20,806,000, of which \$12,806,000 shall remain available until expended.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR
COMMISSION

For operation of the Illinois and Michigan Canal National Heritage Corridor Commission, \$250,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 445 passenger motor vehicles, of which 307 shall be for replacement only, including not to exceed 345 for police-type use, 15 buses, and 4 ambulances; to provide, notwithstanding any other provision of law, at a cost not exceeding \$100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service; options for the purchase of land at not to exceed \$1 for each option; and for the procurement and delivery of medical

106 STAT. 1384

PUBLIC LAW 102-381—OCT. 5, 1992

16 USC 14d. services within the jurisdiction of units of the National Park System: *Provided*, That hereafter, any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System: *Provided further*, That none of the funds in this Act may be used to upgrade the Burr Trail National Rural Scenic Road in Utah except to meet health, safety and environmental concerns: *Provided further*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That in fiscal year 1993 and thereafter, the National Park Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: *Provided further*, That notwithstanding any other provision of law, the National Park Service may recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That funds previously appropriated for acquisition of a landscaped parking lot for the Martin Luther King National Historic Site may be used by the National Park Service to acquire the property on the north side of Irwin Street between Jackson and Boulevard as specified in Public Law 100-202.

16 USC 1a-1 note.

Reports.

106 STAT. 1394

* * * * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have

PUBLIC LAW 102-381—OCT. 5, 1992

106 STAT. 1395

been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primary State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the “Emergency Department of the Interior Firefighting Fund” shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount

106 STAT. 1396

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not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be used to detail any employee to an organization unless such detail is in accordance with Office of Personnel Management regulations.

106 STAT. 1410

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OTHER RELATED AGENCIES

106 STAT. 1415

* * * * *

Contracts.
Public
information.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of an appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

* * * * *

PUBLIC LAW 102-381—OCT. 5, 1992

106 STAT. 1415

SEC. 307. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

106 STAT. 1416

SEC. 308. Employment funded by this Act shall not be subject to any personnel ceiling or other personnel restriction for permanent or other than permanent employment except as provided by law.

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SEC. 317. Notwithstanding any other provision of law, in fiscal year 1993 and thereafter, appropriations or funds available to the Department of the Interior or the Forest Service, Department of Agriculture, may be used to reimburse employees for the cost of State licenses and certification fees pursuant to their employment and that are necessary to comply with State or Federal laws, regulations, or requirements.

106 STAT. 1417
16 USC 556g; 43
USC 1471e.

* * * * *

SEC. 321. REMOVAL OF RESTRICTIONS.

106 STAT. 1418
Hawaii.
Real property.

(a) PURPOSE.—The United States hereby relinquishes any rights arising from restrictions described in subsection (c).

106 STAT. 1419

(b) IN GENERAL.—The Secretary of the Interior shall execute such instruments as are necessary to remove the restrictions described in subsection (c) that are applicable to the use of the real property consisting of approximately 56.805 acres located in Halawa, Ewa, Island of Oahu, State of Hawaii, being the major portion of the former Halawa-Aiea Veterans Housing Area, and currently known as Aloha Stadium.

(c) RESTRICTIONS.—The restrictions referred to in subsection (b) are those reservations, exceptions, restrictions, conditions, and covenants requiring that the real property referred to in subsection (a) be used in perpetuity for a public park and public recreation area and for these purposes only, as set forth in the quitclaim deed from the United States of America dated June 30, 1967.

(d) CONDITIONS FOR REMOVAL OF RESTRICTIONS.—Subsections (a), (b), and (c) shall not be effective until the City and County of Honolulu have identified an equal amount of additional land and have agreed that such land shall be dedicated in perpetuity for public park and public recreation uses.

* * * * *

106 STAT. 1420

PUBLIC LAW 102-381—OCT. 5, 1992

106 STAT. 1421

SEC. 324. With the exception of budget authority for “Miscellaneous payments to Indians”, Bureau of Indian Affairs, Department of the Interior; “Salaries and expenses”, National Indian Gaming Commission, Department of the Interior; “Payment to the Institute”, Institute of American Indian and Alaska Native Culture and Arts Development; “Salaries and expenses”, Woodrow Wilson International Center for Scholars; “Salaries and expenses” and “National capital arts and cultural affairs”, Commission on Fine Arts; “Salaries and expenses”, Advisory Council on Historic Preservation; “Salaries and expenses”, National Capital Planning Commission; “Salaries and expenses”, Franklin Delano Roosevelt Memorial Commission; and “Salaries and expenses” and “Public development”, Pennsylvania Avenue Development Corporation, each amount of budget authority for the fiscal year ending September 30, 1993, provided in this Act, for payments not required by law is hereby reduced by 0.85 per centum: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 1993”.

Approved October 5, 1992.

LEGISLATIVE HISTORY—H.R. 5503:

HOUSE REPORTS: Nos. 102-626 (Comm. on Appropriations) and 102-901 (Comm. of Conference).

SENATE REPORTS: No. 102-345 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 22, 23, considered and passed House.

Aug. 4-6, considered and passed Senate, amended.

Sept. 30, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 5, Presidential statement.

5. Supplemental Appropriations Act, FY 1993

PUBLIC LAW 103–50—JULY 2, 1993

107 STAT. 241

Public Law 103–50
103d Congress**An Act**Making supplemental appropriations for the fiscal year ending September 30, 1993,
and for other purposes.July 2, 1993
[H.R. 2118]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes, namely:

Supplemental
Appropriations
Act of 1993.

* * * * *

CHAPTER IV

107 STAT. 251

DEPARTMENT OF THE INTERIOR AND RELATED AGENCY**DEPARTMENT OF THE INTERIOR**

* * * * *

NATIONAL PARK SERVICE**CONSTRUCTION****(RESCISSION)**

Of the amounts provided under this heading in Public Law 102–154, \$2,700,000 are rescinded.

* * * * *

GENERAL PROVISION, DEPARTMENT OF THE INTERIOR

107 STAT. 252

SEC. 401. EXTENSION OF ACQUISITION AUTHORITY FOR THE PETROGLYPH NATIONAL MONUMENT.—Section 104(b)(2) of Public Law 101–313 is amended by striking “three” and inserting “four” in lieu thereof.

16 USC 431 note.

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107 STAT. 269

PUBLIC LAW 103-50—JULY 2, 1993

This Act may be cited as the “Supplemental Appropriations Act of 1993”.

Approved July 2, 1993.

LEGISLATIVE HISTORY—H.R. 2118:

HOUSE REPORTS: No. 103-91, Pt. 1 and Pt. 2 (Comm. on Appropriations) and No. 103-165 (Comm. of Conference).

SENATE REPORTS: No. 103-54 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

May 26, considered and passed House.

June 17, 22, considered and passed Senate, amended.

July 1, House and Senate agreed to conference report.

May 28, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

July 3, Presidential statement.

6. Emergency Supplemental Appropriations Act, FY 1993

PUBLIC LAW 103-75—AUG. 12, 1993

107 STAT. 739

Public Law 103-75
103d Congress**An Act**

Making emergency supplemental appropriations for relief from the major, widespread flooding in the Midwest for the fiscal year ending September 30, 1993, and for other purposes.

Aug. 12, 1993
[H.R. 2667]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for relief from the major, widespread flooding in the Midwest for the fiscal year ending September 30, 1993, and for other purposes, namely:

* * * * *

Emergency
Supplemental
Appropriations
for Relief From
the Major,
Widespread
Flooding in the
Midwest Act of
1993.
President.

107 STAT. 750

CHAPTER VII**DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES****DEPARTMENT OF THE INTERIOR**

* * * * *

NATIONAL PARK SERVICE**HISTORIC PRESERVATION FUND**

For an additional amount for "Historic Preservation Fund", \$5,000,000, for the Midwest floods of 1993, to remain available until September 30, 1994: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for "Construction", \$900,000, for the Midwest floods, to remain available until September 30, 1994: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

* * * * *

107 STAT. 751

PUBLIC LAW 103-75—AUG. 12, 1993

This Act may be cited as the “Emergency Supplemental Appropriations for Relief From the Major, Widespread Flooding in the Midwest Act of 1993”.

Approved August 12, 1993.

LEGISLATIVE HISTORY— H.R. 2667:

HOUSE REPORTS: No. 103-184 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

July 27, considered and passed House.

Aug. 3, 4, considered and passed Senate, amended.

Aug. 6, House concurred in certain Senate amendments, in others with amendments, and disagreed to others. Senate receded and concurred in House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Aug. 12, Presidential statement.

7. Department of Transportation Appropriations, FY 1994

PUBLIC LAW 103-122—OCT. 27, 1993

107 STAT.
1198Public Law 103-122
103d Congress**An Act**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

Oct. 27, 1993
[H.R. 2750]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, namely:

Department of
Transportation
and Related
Agencies
Appropriations
Act, 1994.**TITLE I—DEPARTMENT OF TRANSPORTATION**

* * * * *

BALTIMORE-WASHINGTON PARKWAY

107 STAT. 1207

For necessary expenses, not otherwise provided, to carry out the provisions of the Federal-Aid Highway Act of 1970 and section 1069 of Public Law 102-240 for the Baltimore-Washington Parkway, to remain available until expended, \$12,800,000.

* * * * *

MANASSAS BATTLEFIELD BYPASS

107 STAT. 1215

For 75 percent of the expenses necessary for the Manassas Battlefield highway projects, as authorized by section 10004(d) of Public Law 100-647, \$3,000,000.

* * * * *

This Act may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 1994”.

107 STAT. 1225

Approved October 27, 1993.

LEGISLATIVE HISTORY—H.R. 2750:

HOUSE REPORTS: Nos. 103-190 (Comm. on Appropriations) and 103-300 (Comm. of Conference).

SENATE REPORTS: No. 103-150 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Sept. 22, 23, considered and passed House.

Oct. 4, 6, considered and passed Senate, amended.

Oct. 21, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments. Senate agreed to conference report; concurred in House amendments.

8. Treasury Department Appropriations Act, FY 1994

107 STAT. 1226

PUBLIC LAW 103-123—OCT. 28, 1993

**Public Law 103-123
103d Congress****An Act**Oct. 28, 1993
[H.R. 2403]

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes.

Treasury, Postal
Service, and
General
Government
Appropriations
Act, 1994.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes, namely:

Treasury
Department
Appropriations
Act, 1994.**TITLE I****DEPARTMENT OF THE TREASURY**

* * * * *

107 STAT. 1251

TITLE V—GENERAL PROVISIONS**THIS ACT**

* * * * *

107 STAT. 1257
Real property.
Arizona.

SEC. 532. (a) IN GENERAL.—Notwithstanding any other provision of law, including any other law which requires that property of the United States be used for a particular purpose, the real property described in subsection (c) shall be conveyed to the United States Park Service, Department of the Interior, by the Administrator of General Services at such time as the property is reported to the General Services Administration for disposal as excess to the needs of the Air Force.

(b) **TERMS.**—A conveyance of property under this section shall be without monetary consideration, and subject to such other terms and conditions as the Administrator determines to be appropriate.

(c) **PROPERTY DESCRIBED.**—The real property referred to in subsection (a) is that part of the Holbrook Radar Bomb Scoring Site, including housing units, situated in the W 1/2 of the SE 1/4 of Section 36, Township 18 North, Range 20 East, G&SRM, Navajo County, Arizona, and more particularly described as:

Lots 1, 2, and 3 and Tract A of Cholla Townhomes Subdivision, a subdivision recorded in Book 14 of Plats at Page 19 in the official records of Navajo County, Arizona; Except an undivided one-half interest in all oil, gas, coal, and other hydrocarbon substances and minerals as reserved in instrument recorded in Docket 68 at Page 171 in said official records;

Containing 8.00 acres, more or less.

107 STAT. 1258

PUBLIC LAW 103-123—OCT. 28, 1993

107 STAT. 1258

Together with Units 2A, 3A, 4B, 5B, 6A, 7A, 8B, 9B, 10A, 11A, and 12B of the Cholla Townhomes Condominium, a subdivision recorded in Book 14 of Plats at Page 20 in the official records of Navajo County, Arizona, and any other buildings and improvements thereon and all rights, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining.

Subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines, and subject to the following outstanding exceptions and rights:

An undivided one-half interest in all oil, gas, coal or other hydro-carbon substances and minerals in, upon, or under said land, and the right to the use of such portions of the surface of said land as may be necessary for the proper exploration, mining or otherwise extracting and removing said oil, gas, coal or other hydro-carbon substances and minerals as reserved in instrument recorded in Docket 68 at Page 171, official records of Navajo County, Arizona.

Easements as shown on the plat of Cholla Townhomes subdivision recorded in Book 14 of Plats at Page 19 in the official records of Navajo County, Arizona.

Easements and right incident thereto for sewer purposes as set forth in instrument recorded in Docket 601 at Page 924 of the official records of Navajo County, Arizona.

Easements created by and the effect of the Declaration of Horizontal Property Regime recorded in Docket 679 at Page 773 in the official records of Navajo County, Arizona, and Certificate of Correction recorded in Docket 678 at Page 815 in said official records.

Easement and rights incident thereto for electric lines as set forth in instrument recorded in Docket 883 at Page 213 of the official records of Navajo County, Arizona.

Liabilities and obligations imposed upon said land by reason of its inclusion within the Navajo County Flood Control District.

* * * * *

107 STAT. 1274

This Act may be cited as the “Treasury, Postal Service, and General Government Appropriations Act, 1994”.

Approved October 28, 1993.

LEGISLATIVE HISTORY—H.R. 2403:

HOUSE REPORTS: Nos. 103-127 (Comm. on Appropriations) and 103-256 (Comm. of Conference).

SENATE REPORTS: No. 103-106 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

June 17, 18, 22, considered and passed House.

July 29, 30, Aug. 3, considered and passed Senate, amended.

Sept. 29, House agreed to conference report.

Oct. 26, Senate agreed to conference report.

9. Department of the Interior Appropriations Act, FY 1994

107 STAT. 1379

PUBLIC LAW 103-138—NOV. 11, 1993

[CORRECTED PRINT*]

Public Law 103-138
103d Congress

An Act

Nov. 11, 1993
[H.R. 2520]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

Department of
the Interior and
Related Agencies
Appropriations
Act, 1994.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

107 STAT. 1385

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Marlene Anita
Hudson.

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$1,599,000 for the Volunteers-in-Parks program, \$38,400 for a lump-sum payment to Marlene Anita Hudson of Washington, District of Columbia, which payment shall be in addition to any other amount that is otherwise payable under any other provision of law based on the death of James A. Hudson, and not less than \$1,000,000 for high

*See notes at the bottom of pages 107 Stat. 1380, 1382, 1385, 1386, 1392, 1395, 1398, 1399, 1409, 1413, and 1416.

PUBLIC LAW 103-138—NOV. 11, 1993

107 STAT. 1385

priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$1,061,823,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$78,559,000 to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities and grant administration, not otherwise provided for, \$42,585,006.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$40,000,000 to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1995.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities \$201,724,000, to remain available until expended, \$4,377,000 to be derived from amounts made available under this head in Public Law 101-512 as a grant for the restoration of the Keith Albee Theatre in Huntington, West Virginia, and \$1,844,000 to be derived from amounts made available under this head in Public Law 102-381 for a pedestrian walkway and interpretive (A Walk on the Mountain): *Provided*, That \$2,000,000 for the Boston Public Library and \$500,000 for the Penn Center shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That of the funds provided under this heading, not to exceed \$350,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: *Provided further*, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18: *Provided further*, That for the purpose of performing an environmental impact statement (EIS) on the Paseo del Norte alignment, the

107 STAT. 1386

NOTE: Under the subheading "OPERATION OF THE NATIONAL PARK SYSTEM", in line 12, the word "the" has been added before "Youth"

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National Park Service's proposed Calabacillas alternative road alignment, and any other alternative routes in association with the Petroglyph National Monument in Albuquerque, New Mexico, \$400,000 is to be allocated to the City of Albuquerque to perform the EIS, only in the event that the City of Albuquerque and the National Park Service reach mutual agreement, within 75 days of the date of enactment of this Act, on the conditions that must be met for the study, such funds to be derived by transfer from balances available in the "Land acquisition and State assistance" account, National Park Service: *Provided further*, That \$1,500,000 for the New England Conservatory shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a upon designation as a National Historic Landmark.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501-2514), \$5,000,000, to remain available until expended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

16 USC 460/-10a
note.

The contract authority provided for fiscal year 1994 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$95,250,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$28,053,000 is for the State assistance program including \$3,303,000 to administer the State assistance program: *Provided*, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States \$9,000 shall be available in 1994 for administrative expenses of the State grant program.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the John F. Kennedy Center for the Performing Arts, \$20,629,000, of which \$12,697,000 shall remain available until expended.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR
COMMISSION

For operation of the Illinois and Michigan Canal National Heritage Corridor Commission, \$250,000.

NOTE: In line eight a comma has been added after the word "Mexico"; and in line nine the word "is" has been added in lieu of the word "are".

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 447 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 345 for police-type use, 12 buses, and 5 ambulances: *Provided*, That none of the funds in this Act may be used to upgrade the Burr Trail National Rural Scenic Road in Utah except to meet health, safety and environmental concerns: *Provided further*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the propose project.

16 USC 3a.

Reports.

* * * * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft building, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof. *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated

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by Congress to be “emergency requirements” pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

* * * * *

NOTE: In line 6 of section 103, the words “United States Code” have been added in lieu of “U.S.C.”.

107 STAT. 1399

SEC. 112. In implementing section 1307 of Public Law 96-487 (94 Stat. 2479), the Secretary shall deem the holder of entry permit LP-GLBA005-93 to be a person who, on or before January 1, 1979, was engaged in adequately providing visitor services of the type authorized in said permit within Glacier Bay National Park.

TITLE II—RELATED AGENCIES

* * * * *

NOTE: In line 1 of section 112, the word “section” has been added in lieu of “Section”.

107 STAT. 1414

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COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$805,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, \$7,500,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$2,959,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,868,000: *Provided*, That all appointed members will be compensated at a rate equivalent to the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$49,000, to remain available until September 30, 1995: *Provided*, That funds provided under this head in Public Law 102-381 shall remain available until expended.

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107 STAT. 1415

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,738,000 for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$4,289,000, to remain available until expended.

LAND ACQUISITION AND DEVELOPMENT FUND

The Pennsylvania Avenue Development Corporation is authorized to borrow from the Treasury of the United States \$7,193,000, pursuant to the terms and conditions in paragraph 10, section 6, of Public Law 92-576, as amended.

* * * * *

TITLE III—GENERAL PROVISIONS

Contracts.
Public
information.

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

* * * * *

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

* * * * *

SEC. 307. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

* * * * *

SEC. 310. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the “Buy American Act”).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE OF RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

* * * * *

NOTE: In the fifth line of subsection 310(a), immediately following the citation “41 U.S.C. 10a-10c”, a semicolon has been added in lieu of a colon.

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SEC. 313. None of the funds appropriated in this Act may be used to implement any increase in government housing rental rates in excess of 10 per centum more than the rental rates which were in effect on September 1, 1993, for such housing.

* * * * *

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 1994”.

Approved November 11, 1993.

LEGISLATIVE HISTORY—H.R. 2520:

HOUSE REPORTS: Nos. 103-158 (Comm. on Appropriations) and 103-299 (Comm. of Conference).

SENATE REPORTS: No. 103-114 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

July 14, 15, considered and passed House.

Sept. 14, 15, considered and passed Senate, amended.

Oct. 20, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments; and disagreed to another.

Oct. 21, 26, 28, Senate considered conference report.

Nov. 9, Senate agreed to conference report; concurred in House amendments; and receded from its amendments Nos. 123 and 124. House receded from its amendment to Senate amendment No. 123.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Nov. 11, Presidential statement.

10. Department of Defense Appropriations Act, FY 1994

107 STAT. 1418

PUBLIC LAW 103-139—NOV. 11, 1993

Public Law 103-139
103d Congress

An Act

Nov. 11, 1993
[H.R. 3116]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

Department of
Defense
Appropriations
Act, 1994.
Armed Forces.
Uniformed
services.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, for military functions administered by the Department of Defense, and for other purposes, namely:

* * * * *

107 STAT. 1437

TITLE VIII

GENERAL PROVISIONS

* * * * *

107 STAT. 1461

(TRANSFER OF FUNDS)

SEC. 8096. In addition to the amounts appropriated or otherwise made available by this Act, \$25,000,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the National Park Service, of which: \$10,000,000 shall be available to repair and rehabilitate military structures transferred from the Department of Defense to the National Park Service as part of the Golden Gate National Recreation Area; \$10,000,000 shall be available to convert and rehabilitate military structures at Fort Wadsworth for National Park Service's purposes; and \$5,000,000 shall be available for cultural cyclic resource programs within the National Park Service system: *Provided*, That these funds shall remain available for obligation until September 30, 1995.

* * * * *

107 STAT. 1484

Approved November 11, 1993.

LEGISLATIVE HISTORY—H.R. 3116:

HOUSE REPORTS: Nos. 103-254 (Comm. on Appropriations) and 103-339 (Comm. of Conference).

SENATE REPORTS: No. 103-153 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Sept. 30, considered and passed House.

Oct. 13-15, 18-21, considered and passed Senate, amended.

Nov. 10, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Nov. 11, Presidential statement.

11. Emergency Supplemental Appropriations Act, FY 1994

PUBLIC LAW 103-211—FEB. 12, 1994

108 STAT. 3

Public Law 103-211
103d Congress**An Act**Making emergency supplemental appropriations for the fiscal year ending
September 30, 1994, and for other purposes.Feb. 12, 1994
[H.R. 3759]*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,* That the following
sums are appropriated, out of any money in the Treasury not
otherwise appropriated, to provide emergency supplemental
appropriations for the fiscal year ending September 30, 1994, and
for other purposes, namely:California
Disaster
assistance.
Midwest floods.**TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS**Emergency
Supplemental
Appropriations
Act of 1994.

* * * * *

CHAPTER 3

108 STAT. 16

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES**DEPARTMENT OF THE INTERIOR**

* * * * *

NATIONAL PARK SERVICE

108 STAT. 17

CONSTRUCTIONFor an additional amount for “Construction”, to replenish funds
used for emergency actions related to storm damaged facilities
within National Park System areas, \$13,102,000, to remain
available until expended.

108 STAT. 17

PUBLIC LAW 103-211—FEB. 12, 1994

LAND ACQUISITION AND STATE ASSISTANCE

For an additional amount for “Land acquisition and State assistance”, \$1,274,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, to replenish funds used for emergency actions related to storm damaged facilities within National Park System areas; and in addition, an additional amount not to exceed \$5,000,000, to remain available until expended, to be derived by transfer from balances under the heading “Construction”, for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, to be available for Federal assistance to the State of Florida for acquisition of lands or interests therein adjacent to, or affecting the restoration of, natural water flows to Everglades National Park and Florida Bay.

* * * * *

108 STAT. 42 Approved February 12, 1994.

LEGISLATIVE HISTORY—H.R. 3759:

HOUSE REPORTS: No. 103-415 (Comm. on Appropriations) and 103-424 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Feb. 3, considered and passed House.

Feb. 9, 10, considered and passed Senate, amended.

Feb. 11, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Feb. 12, Presidential statement.

12. Department of the Interior Appropriations Act, FY 1995

PUBLIC LAW 103-332—SEPT. 30, 1994

108 STAT. 2499

Public Law 103-332
103d Congress**An Act**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes.

Sept. 30, 1994
[H.R. 4602]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, namely:Department
of the
Interior and
Related
Agencies
Appropriations
Act, 1995.**TITLE I—DEPARTMENT OF THE INTERIOR**

* * * * *

NATIONAL BIOLOGICAL SURVEY

108 STAT. 2505

RESEARCH, INVENTORIES, AND SURVEYS

For authorized expenses necessary for scientific research relating to species biology, population dynamics, and ecosystems; inventory and monitoring activities; technology development and transfer; the operation of Cooperative Research Units; and for the general administration of the National Biological Survey, \$167,209,000, of which \$166,909,000 shall remain available until September 30, 1996, and of which \$300,000 shall remain available until expended for construction: *Provided*, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner.

108 STAT. 2505

PUBLIC LAW 103-332—SEPT. 30, 1994

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$1,599,000 for the Volunteers-in-Parks program, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$1,079,963,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$79,900,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203: *Provided*, That should any increase in fees be enacted after enactment of this Act but prior to September 30, 1995, that would be available for the programs under this heading, the Secretary of the Interior shall make available under this heading an amount equal to the amount collected by such fee increase to the "Operation of the National Park System" account for purposes for which such fees are authorized, as approved by the Secretary and subject to the reprogramming guidelines of the House and Senate Committees on Appropriations: *Provided further*, That these funds shall be used for one-time, non-recurring purposes only.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$43,023,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$41,500,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1996.

PUBLIC LAW 103-332—SEPT. 30, 1994

108 STAT. 2506

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, \$184,941,000, to remain available until expended: *Provided*, That not to exceed \$4,500,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further*, That \$256,000 for rehabilitation of the William McKinley Tomb and \$500,000 for the Penn Center shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That notwithstanding any other provision of law, a single procurement for the construction of the vessel exhibit at Salem Maritime National Historic Site may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause “availability of funds” found at 48 CFR 52.232.18.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501-2514), \$7,500,000, to remain available until expended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1995 by 16 U.S.C. 4601-10a is rescinded.

16 USC 4601-10a
note.

LAND AND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$87,936,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$4,800,000 is provided for Federal assistance to the State of Florida pursuant to Public Law 103-219, and of which \$28,000,000 is for the State assistance program including \$3,250,000 to administer the State assistance program: *Provided*, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States \$415,000 shall be available in 1995 for administrative expenses of the State grant program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 467 passenger motor vehicles, of which 338 shall be for replacement only, including not to exceed 360 for police-type use, 12 buses, and 5 ambulances: *Provided*, That none

108 STAT. 2506

PUBLIC LAW 103-332—SEPT. 30, 1994

of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That the first proviso under this head in Public Law 102-381 (106 Stat. 1384) is amended by inserting “, not to exceed \$250,000 per incident,” after the word “funds” and by inserting “: *Provided further*, That any exercise of this authority must be replenished by a supplemental appropriation which must be requested as promptly as possible” after the word “System”.

108 STAT. 2507

16 USC 14d.

* * * * *

108 STAT. 2517

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms,

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108 STAT. 2518

or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or

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rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

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43 USC 1471f.

SEC. 115. Notwithstanding any other provision of law, in fiscal year 1995 and thereafter, appropriations made to the Department of the Interior in this title may be used to fund incrementally research work orders for cooperative agreements with colleges and universities, State agencies, and nonprofit organizations that overlap fiscal years: *Provided*, That such cooperative agreements shall contain a statement that “the obligation of funds for future incremental payments shall be subject to the availability of funds.”.

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TITLE II—RELATED AGENCIES

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COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, \$7,500,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$2,947,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

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NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,655,000: *Provided*, That all appointed members will be compensated at a rate equivalent to the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$48,000, to remain available until September 30, 1996.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,738,000 for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$4,084,000, to remain available until expended.

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TITLE III—GENERAL PROVISIONS

Contracts.
Public
information.

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the “Buy American Act”).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

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(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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SEC. 310. None of the funds appropriated in this Act may be used to implement any increase in government housing rental rates in excess of 10 per centum more than the rental rates which were in effect on September 1, 1994, for such housing.

SEC. 311. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 312. Notwithstanding any other provision of law in fiscal year 1995 and thereafter, appropriations made available to any department or agency in a Department of the Interior and Related Agencies Appropriations Act shall be available to that department or agency to reimburse the representative (as that term is defined by applicable law) of employees killed in the line of duty after January 1, 1994, and in subsequent fiscal years, for burial costs and related out-of-pocket expenses: *Provided*, That the amount of such reimbursement may exceed the \$800 limitation in 5 U.S.C. 8134(a): *Provided further*, That funds provided pursuant to this authority may not exceed \$10,000 per employee.

5 USC 8134 note.

SEC. 313. With the exception of budget authority for “Miscellaneous payments to Indians”, Bureau of Indian Affairs, Department of the Interior; “Salaries and expenses”, National Indian Gaming Commission, Department of the Interior; “Payment to the Institute”, Institute of American Indian and Alaska Native Culture and Arts Development; “Salaries and expenses”, Woodrow Wilson International Center for Scholars; “Salaries and expenses” and “National capital arts and cultural affairs”, Commission of Fine

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Arts; “Salaries and expenses”, Advisory Council on Historic Preservation; “Salaries and expenses”, National Capital Planning Commission; “Salaries and expenses”, Franklin Delano Roosevelt Memorial Commission; and “Salaries and expenses”, “Public development”, Pennsylvania Avenue Development Corporation, each amount of budget authority for the fiscal year ending September 30, 1995, provided in this Act, for payments not required by law is hereby reduced by 0.191 per centum: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 1995”.

Approved September 30, 1994.

LEGISLATIVE HISTORY—H.R. 4602:

HOUSE REPORTS: Nos. 103-551 (Comm. on Appropriations) and 103-740 (Comm. of Conference).

SENATE REPORTS: No. 103-294 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 140 (1994):

June 22, 23, considered and passed House.

July 25, 26, considered and passed Senate, amended.

Sept. 27, House agreed to conference report.

Sept. 28, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Sept. 30, Presidential statement.